



## **ACT ON YOUR PARENTAL RIGHTS**

### **November 2021**

Are you thinking about supporting “parental rights” legislation? With the enthusiastic endorsement of parents, many state legislatures are filing parental rights bills. It seems like enshrining parental rights into law would make them more powerful and perhaps provide a legal basis to prevent some of the atrocious infringements on the relationship between children and parents happening today.

Infringements on parents are happening everywhere. Schools today are teaching children inappropriate sexual information, teaching children they are nothing more than a color or gender, recruiting children into gender-dysphoria and then hiding the evidence from parents, facilitating access to medical treatment for children without parental consent, and even instructing children not to tell their parents what is happening in school. And although parents complain to administrators and at school board meetings, it seems nothing changes.

But what if the truth is that parental rights laws will only serve to reduce actual parental rights?

The Founding Fathers believed our rights are inalienable and incapable of being surrendered or transferred because they are given to us by our Creator. Our rights, including parental rights, do not come from government, they come from God. The Founding Fathers also recognized that by codifying rights, the definition and scope of the rights becomes legitimate points of debate; hence they did not originally even want to write the Bill of Rights.

An excellent [explanation of Constitutional Rights](#) comes from The Law Firm of Robert J. Frank & Assoc. LLC:

The U.S. Constitution recognizes that human beings have “certain inalienable rights” to which they are entitled which arise as a matter of natural right. The most important of these rights are called “Fundamental Rights.” Fundamental Rights are rights that are so “implicit in the concept of ordered liberty” that “neither liberty nor justice would exist if they were sacrificed.”(1) The Supreme Court has recognized that fundamental rights include those guaranteed by the Bill of Rights as well as certain liberty, associational and privacy interests implicit in the due process clause and the penumbra of constitutional rights.(2) These special “liberty” interests include “the rights to marry, to have children, to direct the education and upbringing of one’s children, to marital privacy, and to bodily integrity.”(3)

Think about our current conversation about the right of free speech. Free speech is now being limited by the arbitrary assertion that only non-offensive speech is permitted. How about the right to bear arms; as long as the arms are just for sport hunting and are licensed by the government? Enumerated rights become a target for government control and regulation.

Consider this example from a proposed South Carolina Parental Bill of Rights:

TO PROHIBIT CERTAIN GOVERNMENT INFRINGEMENT ON THE FUNDAMENTAL RIGHTS OF PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE, AND MENTAL HEALTH CARE OF THEIR CHILDREN EXCEPT IN LIMITED CIRCUMSTANCES,

“Certain” infringement? Prohibited except in limited circumstances? Who defines which infringements are prohibited, and which are permitted? Who defines the exceptions? Legislation may attempt to define the details, but typically, the implementing bureaucracy has leverage to the details. Additionally, legislation can be modified over time. This is very dangerous wording.

U.S. Parents Involved in Education (USPIE) advocates that parents not argue they have rights; instead, recommends parents act on their rights. If your school is not respecting your rights as a parent, withdraw your child. Find a different school. With rights come responsibilities. Parental rights mean parents are ultimately responsible for their children, including their education. It may mean some sacrifices are necessary in order to fulfill this responsibility.

The truth is parents have been given inalienable parental rights by God. Don't entrust your rights to be protected by someone else. Do not support Parental Bill of Rights legislation. Moreover, act on your God-given rights.

- (1) See *Palko v. Connecticut*, 302 U.S. 319, 325, 326, 58 S. Ct. 149, 152, 82 L. Ed. 288 (1937); *McKinney v. Pate*, 20 F.3d 1550, 1556 (11th Cir. 1994) (en banc).
- (2) See *Glucksberg*, 521 U.S. at 720, 117 S. Ct. at 2267; *Paul v. Davis*, 424 U.S. 693, 712-13, 96 S. Ct. 1155, 1166, 47 L. Ed. 2d 405 (1976).
- (3) *Glucksberg*, 521 U.S. at 720, 117 S. Ct. at 2267